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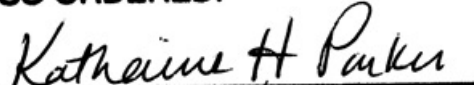
May 1, 2024

VIA ECF

Hon. Katharine H. Parker
U.S. Magistrate Judge
United States District Court, S.D.N.Y.
500 Pearl Street
New York, NY 10007

Request DENIED without prejudice. The May 7, 2024 conference will proceed as scheduled. The proposed stay of discovery will be discussed at that conference.

SO ORDERED:


HON. KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE

5/2/2024

Re: **Caro v. LJB Facilities Management, LLC; Case No. 1:23-cv-03513 (JHR)(KHP)**

Dear Judge Parker:

This law firm represents Defendant, LJB Facilities Management, LLC ("Defendant") in the above-referenced action. We write to respectfully request a stay of discovery and an adjournment of the May 7, 2024 Initial Conference, until the Court issues a decision on Defendant's pending Motion to Dismiss, filed on April 29, 2024 pursuant to Federal Rules of Civil Procedure Rule 12(b)(6). We believe that engaging in discovery while the motion to dismiss is pending will be a waste of resources for the Parties and the Court and, therefore, Defendant requests a stay.

However, in the event that the Court wishes to proceed with the May 7, 2024 Initial Conference, attached is a proposed Case Management Plan prepared by Defendant. We contacted the Pro Se Plaintiff, Randy Caro, at the telephone number on the docket to discuss this case management plan, but we received a voicemail message stating that he had lost his phone and will return our call as soon as he can. We have not received a return call from Mr. Caro.

We thank Your Honor for your consideration of this request.

Respectfully Submitted,

LITTLER MENDELSON, P.C.

/s/ Lisa M. Griffith

Lisa M. Griffith
Danielle L. Jacobs

May 1, 2024

Page 2

cc: Randy Caro
600W 142nd St.
#22
New York, NY 10031

March 2021

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

| | | |
|--------------------------------|---|--|
| -----X | : | |
| | : | |
| Randy Caro, | : | CIVIL ACTION NO.: 23-cv-03513 (JHR)(KHP) |
| | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| against | : | |
| | : | |
| | : | |
| LJB Facilities Management, LLC | : | |
| | : | |
| Defendant. | : | |
| | : | |
| -----X | : | |

PROPOSED CASE MANAGEMENT PLAN FOR PRO SE CASE

1. Summary of Claims, Defenses, and Relevant Issues.

Plaintiff/Defendant (circle one)

Defendant, LJB Facilities Management, LLC, by and through its attorneys, Littler Mendelson, P.C., state the Complaint should be dismissed pursuant to the Federal Rules of Civil Procedure, Rule 12(b)(6), for Plaintiff's failure to state a cause of action upon which relief can be granted, and for failure to allege receipt of a notice of right-to-sue letter from the Equal Employment Opportunity Commission, as required by Title VII of the Civil Rights Act of 1964.

2. I understand my obligation to and am preserving relevant information.

Plaintiff/Defendant (circle one)

3. Proposed Schedule

All discovery should be completed by November 7, 2024

- a. Depositions: Depositions shall be completed by July 8, 2024
- b. Neither party may take more than 6 depositions. Absent an agreement between the parties or an order from the Court, non-party depositions shall follow initial party depositions.

- c. Initial Requests for Documents must be made by May 24, 2024.
- d. Responses to Requests for Documents must be made by July 8, 2024.
- e. Documents from third-parties (such as doctors) will/will not (circle one) be required. If required, the following are the third-parties from whom Documents will be requested.
- TBD.
- f. Subpoenas requesting Documents from third-parties must be served by September 7, 2024. Documents obtained from third-parties must be provided to all parties in this matter.
- g. There will/will not (circle one) be expert testimony in this case. If expert testimony will be needed, please describe the topic on which the expert(s) is expected to testify

4. Early Settlement or Resolution

The parties have/have not (circle one) discussed the possibility of settlement. The parties request a settlement conference by no later than _____. The following information is needed before settlement can be discussed:

TBD.

5. Other Matters

Plaintiff(s)/Defendant(s) (circle one) wish to discuss the following additional matters at the Initial Case Management Conference.

Defendant requests a stay on discovery matters and the Initial Conference, pending this Court's decision on Defendant's Motion to Dismiss the Complaint.

